

Message Text

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TO AMEMBASSY SAN SALVADOR

AMEMBASSY TEGUCIGALPA

INFO AMEMBASSY GUATEMALA

AMEMBASSY MANAGUA

AMEMBASSY SAN JOSE

AMEMBASSY MEXICO

USCINCSO FOR POLAD

C O N F I D E N T I A L STATE 167465

E.O. 11652: GDS

TAGS: PFOR, OAS, HO, ES

SUBJ: HONDURAS/EL SALVADOR--FOREIGN MINISTERS REACH ACCORD

ON FORMAL TALKS

REF: STATE 166066

1. SUMMARY. FOREIGN MINISTERS OF HONDURAS AND EL SALVADOR MET WITH OAS COMMITTEE OF SEVEN EVENING AUGUST 21 TO PRESENT AGREED-ON GROUND RULES FOR NEGOTIATING GENERAL TREATY. ACCORD DIFFERS VERY LITTLE FROM PREVIEW PROVIDED IN REFTEL. MINISTERS EXPRESSED APPRECIATION FOR OAS ROLE AND REQUESTED THAT ORGAN OF CONSULTATION REMAIN IN SESSION FOR CONTINUED OVERSIGHT AVAILABILITY. DEPT POUCHING COMPLETE TEXT TO SAN SALVADOR AND TEGUCIGALPA. END SUMMARY.

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2. EVENING AUGUST 21 FOREIGN MINISTERS BATRES AND BORGONOVO MET WITH OAS COMMITTEE OF SEVEN TO PRESENT AGREED-ON PLAN OF PROCEDURES FOR NEGOTIATING A GENERAL TREATY. AFTER LENGTHY DISCUSSION OVER FORM OF ANNOUNCEMENT, IT WAS DE-

CIDED TO INCORPORATE ACCORD INTO PUBLISHED MINUTES OF TWO-DAY-COMMITTEE MEETING WITH FONMINS. MINUTES WERE THEN SIGNED BY TWO FONMINS AND BY COMMITTEE MEMBERS AS WITNESSES.

3. OPERATIVE SECTION OF MINUTES ANNOUNCING GROUND RULES DIFFERS VERY LITTLE FROM PREVIEW SUMMARY PROVIDED IN REFTEL AND IS AS FOLLOWS:

"I. NEGOCIAR, SUSCRIBIR Y SOMETER A RATIFICACION CON-FORME A SUS RESPECTIVOS ORDENAMIENTOS INTERNOS UN TRATADO GENERAL QUE TOMANDO ESPECIALMENTE EN CUENTA LAS RESLUCIONES APROBADAS POR LA DECIMOTERCERA REUNION DE CONSULTA DE MINISTROS DE RELACIONES EXTERIORES DE AMERICA EL 27 DE OCTUBRE DE 1969, REGULE LAS SIGUIENTES MATERIAS:

1. PAZ Y TRATADOS
2. LIBRE TRANSITO
3. RELACIONES DIPLOMATICAS Y CONSULARES
4. CUESTIONES LIMITROFES
5. MERCADO COMUN CENTROAMERICANO
6. RECLAMACIONES Y DIFERENCIAS
7. DERECHOS HUMANOS Y FAMILIA
8. DISPOSICIONES GENERALES

"II. A ESTE EFECTO, AMBOS CANCELLERES ADOPTARON EL PROCEDIMIENTO SIGUIENTE:

(A) EL 15 DE SEPTIEMBRE DEL PRESENTE AÑO, REPRESENTANTES DEBIDAMENTE ACREDITADOS DE AMBOS PAISES SE REUNIRAN EN EL LUGAR QUE OPORTUNAMENTE SE DESIGNE PARA INICIAR LA NEGOCIACION DEL TRATADO GENERAL;

(B) LA NEGOCIACION SE EFECTUARA EN PRESENCIA DE UN COORDINADOR DE DEBATES NOMBRADO POR EL
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GOBIERNO DEL PAIS QUE SE ESCOJA COMO SEDE, CUYA DESIGNACION SOLICITARAN SIMULTANEAMENTE LOS GOBIERNOS DE EL SALVADOR Y DE HONDURAS Y QUIN TAMBIEN TENDRA A SU CARGO LA ELABORACION DE RESUMENES CONFIDENCIALES DE LAS SESIONES. AL FINAL DE CADA PERIODO DE SESIONES, EL COORDINADOR DE DEBATES ENTREGARA EJEMPLARES DE LOS RESUMENES A LOS REPRESENTANTES DE LOS GOBIERNOS Y ESTOS A SU VEZ INFORMARAN A LA COMISION DE LA DECIMOTERCERA REUNION DE CONSULTA.

(C) LOS REPRESENTANTES DETERMINARAN, DE COMUN ACUERDO POR MEDIO DEL COORDINADOR DE DEBATES,

EL CALENDARIO DE SUS SESIONES Y LOS PERIODOS DE CONSULTA CON SUS RESPECTIVOS GOBIERNOS Y DEBERAN CONCLUIR LAS NEGOCIACIONES A MAS TARDAR EL 15 DE DICIEMBRE DE 1973.

(D) CONCLUIDAS LAS NEGOCIACIONES, LOS PLENIPOTENCIARIOS QUE SE ACREDITARAN AL EFECTO, PROCEDERAN, PREVIO ACUERDO DE LOS GOBIERNOS, A LA SUSCRIPCION DEL TRATADO GENERAL QUE SE HAYA CONVENIDO, A MAS TARDAR EL 31 DE ENERO DE 1974.

(E) LOS GOBIERNOS DE EL SALVADOR Y DE HONDURAS, DENTRO DEL MES SIGUIENTE A LA FECHA DE SU FIRMA DEBERAN SOMETER A RATIFICACION EL TRATADO GENERAL Y UNA VEZ RATIFICADO DENTRO DEL MES SIGUIENTE A LA FECHA DE LA ULTIMA RATIFICACION, PROCEDER AL CANJE CORRESPONDIENTE, ACTO QUE SE EFECTUARA EN EL PAIS SEDE DE LAS NEGOCIACIONES.

(F) SI EL 31 DE ENERO DE 1974, LOS GOBIERNOS DE EL SALVADOR Y DE HONDURAS NO HUBIEREN SUSCRITO EL TRATADO, LAS NEGOCIACIONES NO PRODUCIRAN NINGUN EFECTO; SI DENTRO DE LOS 6 MESES SIGUIENTES A LA FECHA DE SU FIRMA EL TRATADO GENERAL NO HUBIERE

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ENTRADO EN VIGENCIA, CUALQUIERA DE LAS PARTES PODRA CONSIDERARLO SIN NINGUNA VALIDEZ, HACIENDO ESTE HECHO DEL CONOCIMIENTO DE LA COMISION DE LA XIII REUNION DE CONSULTA.

(G) ES ENTENDIDO QUE LOS PLAZOS ESTABLECIDOS EN EL PRESENTE DOCUMENTO PODRAN SER MODIFICADOS POR COMUN ACUERDO DE LOS GOBIERNOS DE EL SALVADOR Y DE HONDURAS, POR MEDIO DEL COORDINADOR DE DEBATES.

(H) EL VENCIMIENTO DE LOS PLAZOS A QUE SE REFIERE EL PARRAFO (F) DEL PUNTO II, NO PRODUCIRA CONSECUENCIAS JURIDICAS DISTINTAS A LAS PREVISTAS EN EL CITADO PARRAFO.

"III. CON RELACION A LO ESTABLECIDO EN LOS LITERALES (A) Y (B) DEL NUMERAL II QUE PRECEDE, LOS CANCELLERES INFORMARON A LA COMISION SU ACUERDO DE SOLICITAR QUE EL PAIS SEDE DE LAS NEGOCIACIONES SEA MEXICO Y QUE PARA ESE EFECTO SE DIRIGIRAN AL GOBIERNO MEXICANO PIDIENDO SU COLABORACION Y, EN SU CASO, EL NOMBRAMIENTO DEL COORDINADOR DE DEBATES."

4. FONMINS REQUESTED THAT MINUTES NOT BE PUBLISHED UNTIL TEXT OF ACCORD RELEASED IN THEIR RESPECTIVE CAPITALS. THEY FURTHER EXPRESSED DESIRE NOT TO PUBLICIZE FACT (RE-

PORTED IN REFTTEL) THAT THEY HAD ASKED MEXICO TO SERVE AS SITE FOR NEGOTIATING MEETING AND PROVIDE SERVICES OF A COORDINATOR SINCE MEXICO HAS NOT YET ACCEDED TO THEIR REQUEST.

5. BOTH FONMINS EXPRESSED DEEP APPRECIATION OF ROLE OF OAS AND SPECIFICALLY OF COMMITTEE OF SEVEN OVER PAST FOUR YEARS IN HELPING TWO COUNTRIES TO ARRIVE AT VARIOUS STAGES OF PEACEFUL SOLUTION THEIR DIFFICULTIES AND, IN FACT, OF MAKING PRESENT MEETING OF MINDS POSSIBLE. URGED THAT 13TH MFM/ORGAN OF CONSULTATION REMAIN IN SESSION FOR OVERSIGHT AVAILABILITY AND URGED THAT THIS FUNCTION CONTINUE IN HANDS OF COMMITTEE OF SEVEN WHICH HAD THOROUGH KNOWLEDGE OF PROBLEM ALONG WITH UNLIMITED PATIENCE.

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6. DEPT POUCHING COMPLETE TEXTS OF MINUTES TO EMBASSIES SAN SALVADOR AND TEGUCIGALPA.

7. COMMENT: INTER-AMERICAN SYSTEM AND OAS HAVE UNDOUBTEDLY SERVED AS USEFUL UMBRELLA, CHANNEL OF COMMUNICATION AND NEUTRAL FORUM FOR EL SALVADOR-HONDURAS SLOWLY TO FIND ROAD TO SOLVE THEIR OWN PROBLEMS. THERE IS GENERAL RECOGNITION WITHIN COMMITTEE THAT ONLY VIABLE SOLUTIONS ARE THOSE WHICH COUNTRIES FIND FOR THEMSELVES AND THERE IS A SPIRIT OF SELF-CONGRATULATION AT HAVING ONCE MORE PERFORMED A SORT OF INTERNATIONAL PSYCHIATRIC-COUNSELING ROLE IN HELPING TWO PATIENTS ACHIEVE SELF-REALIZATION THAT FACTS OF GEOGRAPHY AND ECONOMIC LIFE REQUIRE NORMALIZATION OF RELATIONS. PAST EXPERIENCE, HOWEVER, SHOULD CAUTION THAT THE ROAD TO NORMALIZATION MAY STILL BE ROCKY AND LONG. ROGERS

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